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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DAPHNE P. RAND, by and through DEBRA
J. DOLCH, as Conservator of the Person and
Estate of DAPHNE P. RAND, Conservatee, on
Behalf of Themselves and All Others Similarly
Situated.

Plaintiff,

vs.

AMERICAN NATIONAL INSURANCE
COMPANY, a Texas corporation.

Defendant.

Case No. CV 09 0639 SI

CLASS ACTION

**STIPULATION AND [PROPOSED]
ORDER CONTINUING BRIEFING
SCHEDULE**

Judge Susan Illston

Action Filed: 02/12/09

This stipulation is made between Plaintiff DEBRA J. DOLCH, as Special Administrator of the Estate of DAPHNE P. RAND ("Plaintiff") and Defendant American National Insurance Company ("ANICO" or "Defendant"), by and through their respective counsel of records, based on the following:

WHEREAS, Plaintiff agrees she will not amend the complaint or add parties between now and the time ANICO responds to her Motion for Class Certification, but reserves the right to so amend and/or intervene with a new or additional plaintiff based upon any challenges or objections by Defendant. Defendant reserves its rights to any and all defenses to such amendment or interventions, if any.

WHEREAS, the current schedule requires plaintiffs to submit their class certification motion and expert disclosures on November 4, 2010. The parties are still conducting discovery: Defendant has not yet completed document production; and depositions of additional witnesses will be scheduled after the final document production. The parties believe that the current scheduling order on class certification should be modified to allow for completion of discovery, resolution of any discovery disputes and any other matters, as follows:

	Current Dates	Proposed Dates
Plaintiff's Motion for Class Certification and Designation of Class Cert Experts	November 4, 2010	January 21, 2011
Defendant's Opposition to Motion for Class Certification and Expert Disclosures	January 6, 2011	March 11, 2011
Plaintiff's Reply in Support of Motion for Class Certification	January 20, 2011	March 25, 2011
Hearing on Motion for Class Certification	February 4, 2011	April 8, 2011

THEREFORE, it is hereby stipulated between the undersigned parties, through their counsel of record, that the briefing schedule for Plaintiff's Motion Class Certification briefing may be continued as set forth above, subject to approval by the Court.

DATED: October 13, 2010

BONNETT, FAIRBOURN, FRIEDMAN & BALINT P.C.

 /s/Andrew S. Friedman-----
 By: ANDREW S. FRIEDMAN
 Attorneys for Plaintiff DEBRA J. DOLCH, as Special
 Administrator of the Estate of DAPHNE P. RAND

1
2 DATED: October 13, 2010

GREER, HERZ & ADAMS, LLP

3
4 By: /s/Joseph R. Russo with permission

JOSEPH R. RUSSO

5 Attorneys for Defendant AMERICAN NATIONAL
6 INSURANCE COMPANY

7 ATTESTATION OF SIGNATURE

8 Pursuant to General Order No. 45, § X(b), I hereby attest under penalty of perjury that
9 concurrence in the filing of the document has been obtained from all signatories.

10
11 DATED: October 13, 2010

BONNETT, FAIRBOURN, FRIEDMAN & BALINT P.C.

12
13 By: /s/Andrew S. Friedman

ANDREW S. FRIEDMAN

14
15
16 IT IS SO ORDERED.

17 DATED: _____

18 
19 By _____

The Honorable Susan Illston
District Court Judge